

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING HELD ON JUNE 18, 2007
(Approved July 2, 2007)

The Board of Supervisors held a Workshop Meeting on Monday, June 18, 2007. Present for the meeting were supervisors W. Atlee Rinehart, John Doering, Jr., Robert F. Preston, Timothy Roland and Rosemarie C. Miller. Also in attendance was Hank Zale, representative from Township Solicitor's office and Peter Marshall, Interim Township Manager.

Mr. Rinehart called the workshop meeting to order at 7:06 p.m.

1. MINUTES

Minutes of the May 14, 2007 Zoning Taskforce Meeting

There was a discussion regarding the section of the May 14, 2007 zoning taskforce meeting minutes that addressed the subject of opening of the mail. It was clarified that Mr. Rinehart does not want his mail opened if it isn't identified as being from a federal, state or county agency.

Mr. Preston moved to approve the revised minutes of the May 14, 2007 monthly meeting as submitted. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

Minutes of the May 21, 2007 Workshop Meeting

Mr. Preston moved to approve the revised minutes of the May 21, 2007 workshop meeting as submitted. Mrs. Miller seconded the motion. The motion carried with a 5-0-0 vote.

Minutes of the June 4, 2007 Workshop Meeting

Mr. Roland moved to approve the minutes of the June 4, 2007 workshop meeting as amended. Mr. Preston seconded the motion. The motion carried with a 5-0-0 vote.

Amendments are:

Fifth paragraph

- The first sentence to read "Mr. Preston moved to authorize the Township Manager to request the Engineer, ARRO Consulting, Inc., to establish the escrow amount for the Stoudt's Ferry Linfield Basin project"

Eighth paragraph

- Paragraph to read "Mr. Preston moved to authorize the Township Solicitor to proceed with the Shetterfield appraisal for the Tisa Lane easements. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote"

Minutes of May 14, 2007 and Minutes of May 21, 2007

- Note that approval of the minutes was "tabled by the Chairman"

Public Comment

- In the first paragraph add "and a letter will be given to each resident stating the allowable date to begin connection and the date completion is required"

- In the last paragraph spell out BIE, Building Industries Exchange in Pottstown
Reports

- In the second paragraph, the first sentence to read “Mr. Preston moved to approve the MS-4 Program Year 4 Annual Report as submitted by the Township Engineer, ARRO Consulting, Inc., and authorize the Chairman to sign the documents and submit to the state”
- In the last paragraph add directive at the end for the Township Manager to put Ms. Baker’s bulleted points in a letter to the Board of Supervisors

Bealer Subdivision

- The last paragraph to read “There was a discussion regarding the financial securities being done in phases and it was requested the agreement(s) and proposed security being proposed be put in writing for review by alternate counsel”

Green Acres

- In the third paragraph delete the last sentence
- In the last paragraph replace ‘a place to get out of the roads’ to ‘sidewalks’, under
Exonerations and Exemptions
- Note that Mrs. Miller read the names prior to approval

Ellis Woods Park

- First paragraph, last sentence note that costs are to be cut down ‘from an estimated \$800,000’
- First sentence to read “Mr. Preston moved to authorize KMS to complete the design for an amount not to exceed an additional \$14,000, take the project estimated costs down to \$400,000 and the expenses for the additional design work are to be taken out of the \$1M loan”

Additional Information Brought Before the Board

- Add a sentence to the end of the third paragraph to read “The Board of Supervisors previous policy applies

Minutes of the May 21, 2007 Workshop Meeting

Mr. Preston moved to approve the revised minutes of the May 21, 2007 workshop meeting as submitted. Mrs. Miller seconded the motion. The motion carried with a 5-0-0 vote.

Minutes of the June 11, 2007 Workshop Meeting

Mr. Doering moved to approve the minutes of the June 11, 2007 workshop meeting as amended. Mrs. Miller seconded the motion. Mr. Roland abstained due to his absence at the June 11, 2007 workshop meeting. The motion carried with a 4-0-1 vote.

Amendments are:

Zoning Ordinance Discussion/Zoning Map Discussion

- Add ‘and duties’ to the end of bulleted item #3
- In the last paragraph noted that mowing of the horse trail of the Maack property was referred to the Township Solicitor

2. PUBLIC COMMENT

Bill Morgan of 288 Sawmill Road inquired why blasting notices were not given to residents of Sawmill Road and Mr. Preston responded that residents within 200' are notified of blasting. Mr. Morgan inquired about the potential for a power failure at the pumping station and Mr. Preston noted a back-up generator is provided.

Walter Woessner, Vice Chair of the East Coventry Township Planning Commission, inquired about the Sharp Subdivision sewage facilities planning module and noted conflicts with the Township Zoning Ordinance. Mr. Zale noted that the subdivision plan was settled in court.

Harold Kulp, Chairman of the East Coventry Township Planning Commission, noted documentation he received regarding Chapter 102 and it was requested the Planning Commission received copies for review.

Larry Tietjen, property owner of 131 Maack Road noted concerns of Wineberry Estates stone wall the potential for possibility jeopardizing the property's eligibility for the Historic Registry. There was also concerns noted that the developer is listing their name of documents to the State listing the developer as the owner of 131 Maack Road. Mr. Preston recommended the property owner put his issues in writing to the State. Mr. Tietjen mentioned the possibility of a landscape plan being provided and Mr. Doering noted that the developer has been requested to provide a detailed landscape plan.

Michael Coine of 1134 Schoolhouse Road inquired about per unit contribution of landscaping materials from Tailored Turf and it was noted it has not been received. The Interim Manager is to follow up with Tailored Turf.

Mark Pristash of 93 Brownstone Drive noted concerns of the inconsistency of the trenches for the Phase II Sewer Project and also inquired about the timeframe of when lawns will be restored. The contractor is to be notified of such issues.

3. OTHER BUSINESS

2007 Road Projects

Mr. Preston moved to award 2007 Road Maintenance Project to Asphalt Industries, Inc. of Chester PA for amount of \$46,030.25 with the condition that Asphalt Paving Systems of Hammonton, NJ, who withdrew their bid due to error, provide Act 4 requirement of proof of mathematical error within two (2) days of award of bids. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Preston moved to award the Wells Road Reconstruction and Drainage Improvements project to Floyd G. Hersh, Inc. for amount of \$48,731.75. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

Phase 2 Sanitary Sewer Project

There was a discussion regarding Payment No. 2 for the Phase 2 Sanitary Sewer Project and Mr. Doering noted concerns of assurance of the job being done properly before payment is approved. The Township Engineer is to place a confirmation statement

verifying quality on future payment request recommendations and inspector logs are to be provided.

Mr. Doering moved to approve Payment No. 2 of the Phase 2 Sanitary Sewer Project of for the amount of \$351,134.70. Mrs. Miller seconded the motion. The motion carried with a 5-0-0 vote.

Constable, Glocker, and Daylor Subdivision

Mr. Roland moved to approve resolution for deed of dedication for the Constable, Glocker and Daylor Subdivision. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

Ivywood Estates

There was a discussion regarding letter dated June 4, 2007 received by Ivywood Estates applicant's counsel. The letter noted concerns of the Ivywood Estates plan being denied and Mr. Zale noted he would review the project files in regards to issues mentioned in the letter discussed.

4. DISCUSSION ITEMS

5. PAYMENT OF BILLS

Mr. Rinehart moved to pay bills from the General Fund. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote. It was requested that salaries be shown in the expenses report.

Mr. Preston moved to approve payment of Requisition No. Sewer Revenue Account (SRA)-17 for the amount of \$321.39. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Doering moved to pay bill from the Sewer Fund with the addition of requisition for the amount of \$321.39 to be paid to East Coventry Township General Fund for erroneous deposit of tax payment into the sewer fund and with the addition of the Code Inspections, Inc. bill of \$19,500 for sewer lateral inspections. Mr. Preston seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Roland moved to pay bills as presented from the Highway Aid Fund. Mr. Preston seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Roland moved to pay bills as presented from the Water Users Fund. Doering seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Preston moved to pay bills as presented from the Capital Reserve Fund. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

6. ADDITIONAL ITEMS BROUGHT BEFORE THE BOARD

A resolution is to be prepared in recognition of the Eagle Scout project on the bridge of the nature trail.

Mr. Preston moved to authorize the Chairman to sign the revised highway occupancy permit for East Cedarville Road as presented by the Township Engineer. Mrs. Miller seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Roland moved to authorize the Interim Manager to proceed with hiring of accounting candidate, with the condition that the background check is satisfied, with a starting salary of \$52,000 and \$500 good performance increases after 6 months and 1 year. Mr. Preston seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Marshall noted the issue of the two (2) employees who did not receive the cost of living increases for 2007. The issue will be discussed in executive session. Mr. Marshall did note that a salary study should be performed for all township employees.

There was a discussion regarding the amendments to Resolution No. 2005-11, sewer billing practices in advance verses arrears. Mr. Preston read in to the record a memorandum "For the Record" to be included in the minutes and he presented the written memorandum to the Board regarding the subject. This memorandum is reproduced below "For the Record" as requested by Mr. Preston.

"The East Coventry Township Board of Supervisors unanimously adopted Resolution 2005-11. This Resolution prepared by the East Coventry Township appointed Solicitor John A. Koury, Esquire established that Sewer Rentals are to be invoiced in arrears. Such Resolution directed the manager Mr. Casey LaLonde to implement Sewer Rentals in arrears when invoicing for sewerage services rendered.

At the East Coventry Township Board of Supervisor's meeting in executive session on June 4, 2007 the appointed Solicitor presented a revised Resolution Number 2007 - __ to change the method of invoicing Sewer Rentals to in advance in lieu of arrears. Sewer Rentals invoiced in advance is contrary to the approved Resolution 2005 - 11 that East Coventry Township Sewer System is to be operating under.

In that Executive Session Mr. Peter Marshall, manager, had recommended the East Coventry Township Board of Supervisors approve Resolution 2007 - __ to change the method of invoicing for sewer rental to "in advance" or "maintain Resolution 2005 - 11 and correct the invoicing method." The reasons for either action are to avoid a potential "Class Action Suit" against the Township because Mr. LaLonde did not implement Resolution 2005 - 11 as directed or written. According to Mr. Peter Marshall there is insufficient funds in the Sewer Revenue Fund or Sewer Repair and Maintenance Fund to change sewer rentals from in advance to in arrears pursuant to Resolution 2005 - 11. I recommended doing nothing at that time due to all the information was not provided for review prior to the executive session. The Board took no action at June 4, 2007 meeting.

After due consideration and this memorandum being included in the minutes of the East Coventry Township and attached and made part of the revised resolution for transparency, I can now recommend the revised resolution for adoption by the Board of Supervisors to invoice sewer rentals in advance.

Also, the solicitor discussed in that executive session was East Coventry Township's current practice of invoicing sewer rentals to apartment renters in lieu of invoicing the fee simple title owner of the rental property. Upon recommendation of the appointed solicitor Mr. Peter Marshall was directed to correct past practices of the previous manager by invoicing the fee simple title rental property owner(s) for sewer rentals.”

Mr. Preston moved to approve Resolution No. 2007-23 and attach amended the above memorandum to Resolution No. 2007-23. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Marshall noted a request from a homeowner who was considering a lateral for their property and the homeowner requested to not pay the full tapping fee.

Mr. Preston moved to require anyone who want to connect to the sewer system provide the full tapping fee prior to lateral installation. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Marshall presented a Challenge Statement for the Township Manager position and the Board authorized the statement to be provided to qualified candidates.

Mr. Marshall noted he is obtaining a proposal for the management/wage study to include all employees.

Mr. Marshall provided quotes for tree removal in the wooded area of the Ellis Woods Park.

Mr. Doering moved to award the tree removal project to Ullman Professional Tree Service not to exceed \$3,800.00. Mr. Preston seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Preston provided a letter requesting additional services from Gannett Fleming regarding the cost allocation of the NCMA Wastewater Treatment Plant expansion, pursuant to previous board direction. The Board of Supervisors authorized the letter to be sent to Gannett Fleming. The manager shall forward the letter to Gannett Fleming Inc.

7. ADJOURNMENT

The Board recessed into executive session at 10:23 p.m. to discuss personnel issues. The workshop meeting reconvened at 10:55 p.m.

Mr. Doering moved to authorize \$4,373.00, subject to review by the Township Solicitor, to be appropriately divided between the two (2) employees not included in the prior increases with the condition that the \$4,373.00 does not become part of the employees' base salary since benchmarking is not complete. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

The workshop meeting adjourned at 10:58 p.m.

Respectfully submitted,

John Doering, Jr.
Township Secretary